

# Notice of Allowability

Application No.

09/295,269

Examiner

Jeremy C. Norris

Applicant(s)

KHANDROS ET AL.

Art Unit

2827

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed 21 January 2003.
2. ☒ The allowed claim(s) is/are 87-91,95-114,154-165,167 and 169.
3. ☐ The drawings filed on \_\_\_\_\_ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

5. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
  - (a) ☐ The translation of the foreign language provisional application has been received.
6. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE**

7. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
8. ☒ CORRECTED DRAWINGS must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No. \_\_\_\_\_.
  - (b) ☒ including changes required by the proposed drawing correction filed 04 February 2002, which has been approved by the Examiner.
  - (c) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the top margin (not the back) of each sheet. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftsperson.

9. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

- |   |  |
|---|--|
| <ol style="list-style-type: none"><li>1 <input type="checkbox"/> Notice of References Cited (PTO-892)</li><li>3 <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948)</li><li>5 <input type="checkbox"/> Information Disclosure Statements (PTO-1449), Paper No. _____.</li><li>7 <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material</li></ol> | <ol style="list-style-type: none"><li>2 <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)</li><li>4 <input type="checkbox"/> Interview Summary (PTO-413), Paper No. _____.</li><li>6 <input type="checkbox"/> Examiner's Amendment/Comment</li><li>8 <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance</li><li>9 <input type="checkbox"/> Other</li></ol> |
|---|--|

  
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SUPERVISORY PATENT EXAMINER  
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## **DETAILED ACTION**

### ***Allowable Subject Matter***

Claims 87-91,95-114,154-165,167 and 169 are allowed.

The following is an examiner's statement of reasons for allowance: Both claims 87 and 106 include limitations to a second end of an element being bonded to a structurally distinct contact tip. In light of figure 10 of the instant application, Examiner has interpreted this limitation as the bonding of one resilient element to the tip structure of *another* element, for only in this light could the tip structure be truly "structurally distinct". Again, Examiner acknowledges that this is indeed disclosed by Applicants in figure 10. Therefore, it is the Examiner's position that this limitation, in conjunction with the other claimed limitations was neither found to be disclosed in, nor suggested by the prior art.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeremy C. Norris whose telephone number is 703-306-5737. The examiner can normally be reached on Mon.-Th., 9AM - 6:30 PM and alt. Fri. 9AM-5:30PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David L. Talbott can be reached on 703-305-9883. The fax phone numbers for the organization where this application or proceeding is assigned are 703-308-0725 for regular communications and 703-308-0725 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.

JCSN  
March 24, 2003